

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

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MOOG INC.,

Plaintiff,

Case No.: 22-cv-187-LJV-JJM

vs.

SKYRYSE, INC. ROBERT ALIN PILKINGTON, MISOOK
KIM, and DOES NOS. 1-50

Defendants.
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**DECLARATION OF ANTHONY D. GREEN IN SUPPORT
OF ROBERT ALIN PILKINGTON AND MISOOK KIM’S OBJECTIONS
TO THE AUGUST 29, 2022 REPORT, RECOMMENDATION AND ORDER**

Anthony D. Green, under penalty of perjury and pursuant to 28 U.S.C. § 1746, declares the following to be true and correct:

1. I am a member of Winget Spadafora & Schwartzberg, LLP, counsel to Defendants Robert Alin Pilkington (“Pilkington”) and Misook Kim (“Kim” and, collectively with Pilkington, the “Individual Defendants”), in this matter.

2. I submit this Declaration in support of the Individual Defendants’ Objections to Magistrate Judge McCarthy’s August 29, 2022 Report, Recommendation and Order.

3. Attached hereto as Exhibit A is a true and correct copy of the Transcript of the proceedings before Magistrate Judge McCarthy on August 25, 2022.

4. Attached hereto as Exhibit B is an email chain involving Magistrate Judge McCarthy and counsel for all parties on August 11 through 12, 2022, in which Plaintiff first raised any argument that the Defendants had consented to this Court’s jurisdiction through the preliminary injunction hearing, based upon language in the two stipulations that, on the contrary,

was for the purpose of expressly recognizing, and did expressly recognize, that the Defendants had reserved their rights to challenge personal jurisdiction and to the propriety of venue.

Dated: September 12, 2022
New York, New York

/s/ Anthony D. Green
Anthony D. Green